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Attorneys for Plaintiff and the proposed Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Thomas Carnes, by and through his Guardian ad Litem,
Juliana Christine Clegg, on his own behalf and on behalf
of others similarly situated,

Plaintiff,

vs.

Atria Senior Living, Inc. and Does 1 Through 100,

Defendants.

CASE NO. 3:14-cv-02727-VC

STIPULATION AND
~~[PROPOSED]~~ ORDER TO
RESET THE CASE
MANAGEMENT
CONFERENCE

Judge: Hon. Vince Chhabria

CMC: December 16, 2014,
10:00 a.m.

STIPULATION

The Parties hereby provide notice of their stipulation to reset the Case Management Conference, currently scheduled for December 16, 2014, at 10:00 a.m.

WHEREAS, the Initial Case Management Conference in this case was initially set for September 10, 2014, with Magistrate Judge Donna M. Ryu;

WHEREAS, this case was reassigned to the Honorable Vince Chhabria on July 29, 2014, and the Initial Case Management Conference was reset *sua sponte* to September 30, 2014;

WHEREAS, on September 11, 2014, Defendants filed a motion to dismiss Plaintiff's First Amended Complaint;

WHEREAS, on September 11, 2014, this Court reset the Case Management Conference *sua sponte* to November 25, 2014;

WHEREAS, on November 6, 2014, this Court granted Defendants' motion to dismiss Plaintiff's First Amended Complaint with leave to amend;

WHEREAS, on November 7, 2014, this Court reset the Case Management Conference *sua sponte* to December 16, 2014;

WHEREAS, on November 12, 2014, this Court granted the Parties' stipulated request to extend the deadline for Plaintiff to file his Second Amended Complaint to December 11, 2014;

WHEREAS, under the Standing Order for Civil Cases Before Judge Vince Chhabria, a request to continue a case management conference must be made no later than seven days prior to the scheduled appearance,

WHEREAS, the Parties, upon meeting and conferring, have agreed to reset the Case Management Conference currently set for December 16, 2014, to January 20, 2015, in light of the fact that Plaintiff will file his Second Amended Complaint on or before December 11, 2014;

NOW THEREFORE, the Parties, by and through their counsel of record and subject to Court approval, hereby stipulate that:

1. The Case Management Conference set for December 16, 2014, at 10:00 a.m., should be reset to January 20, 2015, or a later date pursuant to the Court's availability; and

2. The parties shall file a Joint Case Management Statement on or before January 13, 2015.

IT IS SO STIPULATED.

DATED: December 4, 2014

STEBNER AND ASSOCIATES

/s/ Kathryn Stebner

Kathryn A. Stebner

Attorneys for Plaintiff and the proposed Class

DATED: December 4, 2014

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Reuben Jacobson

Reuben Jacobson

Attorneys for Defendant

DECLARATION OF CONSENT

I, Kathryn A. Stebner, hereby declare, pursuant to the Northern District of California Civil Local Rule 5-1(i)(3), that I have obtained concurrence in the filing of this document from Reuben Jacobson. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 4, 2014, in the City of San Francisco, California.

/s/ Kathryn Stebner

Kathryn A. Stebner

~~PROPOSED~~ ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: December 5, 2014



Honorable Vince Chhabria
United States District Judge